

<b>STATE OF MICHIGAN</b> JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	<b>SUMMONS: ORDER TO APPEAR (CHILD PROTECTIVE PROCEEDINGS)</b>	<b>CASE NO. PETITION NO.</b>
Court address		Court telephone no.

1. In the matter of  
(name(s), alias(es), DOB)

2. TO: \_\_\_\_\_

\_\_\_\_\_

3. **YOU ARE ORDERED** to appear in person before the court for a hearing on the allegations in the attached petition. The above named child(ren)'s appearance ☐ is ☐ is not necessary.

4. The date, time, and place of the hearing are:

5. The purpose of the hearing is:

- ☐ to decide, **at a trial**, whether one or more of the statutory grounds alleged in the petition are true.
- ☐ to rule on a request that your parental rights over the child(ren) be terminated.
- ☐ to decide if you are the father of the above named child(ren).
- ☐ other:

6. **RIGHT TO ATTORNEY:** As a respondent you have the right to be represented by an attorney. If you want an attorney, you should hire one immediately so the attorney will be ready on the hearing date. If you want an attorney but are not financially able to hire an attorney, you should contact the court immediately about a court appointed attorney.

7. **RIGHT TO TRIAL BY JURY:** If you want a jury to decide the facts **at the trial**, you must file a written request with the court within 14 days after the court gives notice of the right to jury trial or 14 days after an appearance by an attorney, whichever is later, but no later than 21 days before trial. **There is no right to a jury at a termination of parental rights hearing.**

8. **RIGHT TO TRIAL BY JUDGE:** Either a judge or a referee may decide the facts at a trial without a jury. If you want a judge to decide the facts **at the trial**, you must file a written request with the court within 14 days after the court gives notice of the right to a judge or 14 days after an appearance by an attorney, whichever is later, but no later than 21 days before trial.

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter, please contact the court immediately to make arrangements.

WARNING: You are notified that this hearing may result in a temporary or permanent loss of your rights to the child(ren).

**FAILURE TO APPEAR** may subject you to the penalty for contempt of court, and a bench warrant may be issued for your arrest.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge Bar no.

Do not write below this line - For court use only

**SUMMONS**Case No.  
Petition No.**PROOF OF SERVICE**

**TO PROCESS SERVER:** You are to serve the summons and petition in accordance with MCR 3.920(B)(5) and the instructions of the court. You must make and file your return with the court clerk. If you are unable to complete service you must complete item 3 and return this original and all copies to the court clerk. **Always mark either the box for "Officer Certification" or "Affidavit of Process Server."**

**CERTIFICATE / AFFIDAVIT OF SERVICE / NON-SERVICE**☐ **OFFICER CERTIFICATE**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

**OR**☐ **AFFIDAVIT OF PROCESS SERVER**

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

- ☐ 1. I served personally a copy of the summons and petition,  
☐ 2. I served by registered or certified mail (copy of return receipt attached) a copy of the summons and petition,

together with \_\_\_\_\_

List all documents served with the summons and petition

on:

Name	Complete address(es) of service	Day, date, time

- ☐ 3. I have personally attempted to serve the summons and petition, together with any attachments on the following individual(s) and have been unable to complete service.

Name	Complete address(es) of service	Day, date, time

Service fee	Miles traveled	Mileage fee	Total fee
\$		\$	\$

Signature \_\_\_\_\_

Title \_\_\_\_\_

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
Date

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date Deputy court clerk/Notary public

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of the summons and petition, together with \_\_\_\_\_  
Attachments

\_\_\_\_\_ on \_\_\_\_\_  
Day, date, time

\_\_\_\_\_ on behalf of \_\_\_\_\_  
Signature